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May 17, 2017

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: *Ex parte* presentation in RM-11681

Dear Ms. Dortch:

More than a year ago, the Commission issued a Public Notice asking parties to refresh the record on the proposal from Ligado Networks LLC (“Ligado”) to initiate a proceeding to evaluate whether and under what conditions the Commission can reallocate 1675-1680 MHz to shared use and assign the spectrum by auction or fee.¹ That proposal has been endorsed by past Congresses and CTIA and was recently endorsed by the current Congress in the omnibus spending bill adopted May 5, 2017.² The Commission’s Notice was the first step in an important dialogue. Since then, the Commission has heard from public interest groups regarding the benefits of making more spectrum available for next-generation mobile services;³ from the weather community on how approximately one hundred or fewer non-National Oceanic and Atmospheric Administration (“NOAA”) entities access and use certain NOAA data;⁴ and from

¹ Comment Sought to Update the Record on Ligado’s Request that the Commission Initiate a Rulemaking to Allocate the 1675-1680 MHz Band for Terrestrial Mobile Use Shared with Federal Use, RM-11681, DA 16-443 (Apr. 22, 2016) (“Public Notice”).

² See H.R. 244, 115th Cong., Division B at 1 (2017) (incorporating 2016 Omnibus Conference Report); H.R. 114-605, 114th Cong. (2016) (“2016 Omnibus Conference Report”) (“Commercialization of Spectrum.—The budget request proposes to auction, or assign via fee, 1675–1680 MHz, a band of radio frequency spectrum that NOAA currently uses. The Committee notes the high value of spectrum assignments, and encourages NOAA to consolidate spectrum holdings where appropriate. Within 30 days of enactment of this Act, NOAA shall report to the Committee on its plans to make spectrum available for auction.”). See also Comments of CTIA, RM-11681 (June 21, 2016).

³ See Comments of Public Knowledge and Open Technology Institute at New America, RM-11681 (June 21, 2016).

⁴ See, e.g., Comments of American Meteorological Society, RM-11681 (June 21, 2016).

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Ligado on how to protect the NOAA operations⁵ and ensure that this small group of non-NOAA users retain access to the NOAA data via a reliable and robust content delivery network (“CDN”).⁶

The recent comments filed in this proceeding simply repeat arguments made on previous occasions⁷ and addressed in past filings.⁸ In the interest of regulatory efficiency, Ligado will not reiterate these points but instead incorporate previous filings by reference.

The time has come for the Commission to take the next step in this proceeding and move forward with a Notice of Proposed Rulemaking (“NPRM”), consistent with the expressed wishes of this Congress. The NPRM process is specifically designed to fully explore any remaining issues, and to develop a complete record upon which the Commission can rely in determining the scope of a final rule. Ligado urges the Commission to issue an NPRM without delay.

Sincerely,

/s/

Gerard J. Waldron

Counsel to Ligado Networks LLC

⁵ See Reply Comments of Ligado Networks, RM 11-681 (Aug. 11, 2016) (“Ligado Reply Comments”) at 6–30; Comments of Ligado Networks, RM 11-681 (June 21, 2016), at 5–9 (“Ligado Comments”).

⁶ See Ligado Reply Comments; Letter from Gerard J. Waldron, RM-11681; IB Docket No. 11-109; IBFS File Nos. SES-MOD-20151231-00981; SAT-MOD-20151231-00090; SAT-MOD-20151231-00091 (Mar. 1, 2017).

⁷ See, e.g., Letter from American Meteorological Society, RM-11681 (Jan. 3, 2017); Letter from Hydrometeorological Parties, RM-11681; IB Docket Nos. 11-109, 12-340 (Oct. 11, 2016); Letter from Hydrometeorological Parties, RM-11681; IB Docket Nos. 11-109, 12-340 (Oct. 14, 2016).

⁸ See e.g., Letter from Gerard J. Waldron, RM-11681 (Nov. 18, 2016); Letter from Gerard J. Waldron, RM-11681 (Oct. 21, 2016); Ligado Reply Comments; Ligado Comments.